

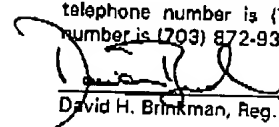
AUG. 25. 2003 3:54PM

513 241 6234

NO. 6988 P. 5

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I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: Stephen A. Vu whose telephone number is (703) 308-1378 and fax number is (703) 872-9327 on August 25, 2003.

  
David H. Brinkman, Reg. No. 40,532

8/25/03  
Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Charles Brockway et al.  
Serial No.: 09/976,006  
Filed: October 12, 2001  
Group Art Unit: 3636  
Confirmation No.: 9617  
Examiner: Vu, Stephen A.  
Title: EXAMINATION AND TREATMENT CHAIR  
Atty Docket: MIDTF-306P2

Cincinnati, Ohio 45202

August 25, 2003

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AFTER FINAL AMENDMENT

Sir:

In response to the Office Action mailed on June 23, 2003, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

AUG. 25. 2003 3:53PM

513 241 6234

NO. 6988 P. 1

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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

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TRUMAN A. HERRON 1935-1976

EDWARD B. EVANS 1936-1971

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**FACSIMILE COVER SHEET**

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TECHNICAL ADVISORS  
HENRY M. LABODA, Ph.D.  
LARRY D. MOORE, B.S.E.E.

TO: The Honorable Commissioner  
Attention: Stephen A. Vu  
Art Unit 3636

FROM: David H. Brinkman

Fax No.: (703) 872-9327

Phone: (513) 241-2324

Date: August 25, 2003

Fax: (513) 421-7269

Pages (including cover page): 14

Re: U.S. Serial No. 09/976,006 EXAMINATION AND TREATMENT CHAIR  
Attorney Docket No. MIDTF-306P2

**ATTACHMENTS/COMMENTS: OFFICIAL**

Please deliver to Stephen A. Vu  
Amendment Transmittal (3 pages)  
Amendment (10 pages)

**OFFICIAL**

**FAX RECEIVED**

**AUG 25 2003**

**GROUP 3600**

**CERTIFICATE OF FACSIMILE TRANSMISSION**

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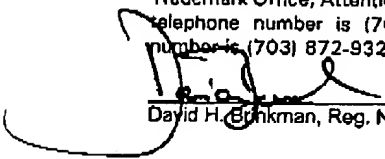
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David H. Brinkman, Reg. No. 40,532

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Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**OFFICIAL**

Cincinnati, Ohio 45202

August 25, 2003

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P.O. Box 1450  
Alexandria, VA 22313-1450

**FAX RECEIVED**  
**AUG 25 2003**  
**GROUP 3600**

**AFTER FINAL AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.
2.        Small Entity status is claimed.  
  X   Other than a Small Entity.
3. The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	18	MINUS	20	= 0	x \$9	\$0	x \$18	\$0
INDEP.	3	MINUS	3	= 0	x \$42	\$0	x \$84	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$135	\$0	+ \$270	\$0
TOTALS					TOTAL FEE	\$0	TOTAL FEE	\$0

- ☆ If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 ☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 ☆☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

  X   No additional fee for claims is required.

4. Attached is a check in the sum of \$\_\_\_\_\_.

\_\_\_\_\_ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.

A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

- (a) \_\_\_\_\_ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
one month	\$ 110.00	\$ 55.00
two months	\$ 410.00	\$205.00
three months	\$ 930.00	\$465.00
four months	\$1,450.00	\$725.00

— Attached is a check in the amount of \$\_\_\_ for the three month extension fee as required by 37 C.F.R. § 1.17(c).

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

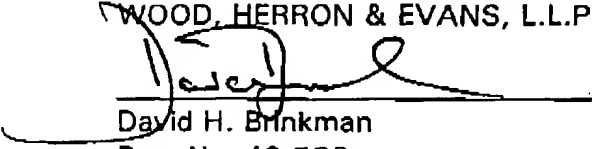
— An extension for \_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_.

OR

- (b) XX Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
- XX If any additional fee for claims or extension of time is required, charge Account No. 23-3000. A duplicate of this transmittal is attached.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

  
David H. Brinkman  
Reg. No. 40,532

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K:\MIDT\F306P2\Amend transmittal 8-25-03.wpd